

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

THEODORE DAVIS,

Plaintiff,

v.

ARMSTRONG RELOCATION, LLN, et al.,

Defendants.

)
)
)
)
)
)
)
)
)
)

CIVIL ACTION NO. 2:05cv632-T

REPORT ON PARTIES' PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), the parties conferred to develop a proposed discovery plan.

2. Pre Discovery Disclosures. Twenty-eight (28) days from the date of the Uniform Scheduling Order, the parties will exchange the information required by Fed.R.Civ.P. (26)(a)(1).

3. Discovery Plan. The parties jointly propose to the court the following discovery plan:

a. Discovery will be needed on the following subjects: all subjects relating to the allegations set forth in the Plaintiffs' Complaint; all defenses asserted in the Answer of the Defendants and all issues relating to damages, liability and all other relevant issues discoverable under the Federal Rules of Evidence.

b. All discovery shall be completed on or before one week prior to the Pretrial Hearing, except that, as to any witnesses whose names are revealed less than three weeks prior to the pretrial hearing or whose names are not revealed within sufficient time for the other parties to take a deposition prior to the pretrial conference, the opposing party shall have the time extended in this paragraph to allow for deposing such witnesses.

c. Maximum of 25 interrogatories by each party to any other party.

d. Maximum requests for admission allowed by Rule 36 Fed.R.Civ.P. by each party to any other party.

e. Maximum of 10 depositions by each party with a maximum of 7 hours per deposition, unless extended by agreement of the parties.

f. Reports from retained experts under Rule 26(a)(2) due: from Plaintiffs at least 75 days prior to the pretrial hearing; from the Defendants at least 75 days prior to the pretrial hearing.

g. Supplementations under Rule 26(e) due within 28 days of when a party learns that in some material respect the information is incomplete or incorrect.

4. Other items.

a. The parties **do** request a conference with the court before entry of the scheduling order. This conference is currently scheduled for October 14, 2005 at 9:30 a.m.

b. The parties request a pretrial conference 1 month prior to trial.

c. Plaintiffs should be allowed until March 31, 2006, to join additional parties and until March 31, 2006, to amend the pleadings.

d. Defendants should be allowed until April 31, 2006 to join additional parties and until April 31, 2006, to amend the pleadings.

e. All potentially dispositive motions should be filed 90 days prior to the pre-trial hearing.

f. Final lists of witnesses and exhibits under Rule 26(a)(3) should be due from Plaintiffs and Defendants no later than 3 weeks prior to the pretrial hearing.

g. Parties should have 14 days after service of final lists of witnesses and exhibits to lists objections under Rule 26(a)(3).

h. The parties agree that this case will be ready for trial during the August 7, 2006 civil term.

DONE this 6th day of October, 2005.

/s/ Wallace D. Mills
Wallace D. Mills (MIL 090)
Attorney for the Defendant, City of Montgomery

City of Montgomery
P. O. Box 1111
Montgomery, AL 36101-1111
(334) 241-2050
(334) 241-2310 – facsimile

/s/ Michael W. Rountree
Michael W. Rountree, Esq. (ROU009)
Attorney for Plaintiff, Theodore Davis

Rountree & Singleton
448 Saint Lukes Drive
Montgomery, AL 36117-0474
(334) 270-8291
(334) 870-8294 – facsimile

/s/ Terrie S. Biggs
George L. Beck, Esq. (BEC011)
Terrie S. Biggs, Esq. (BIG006)
Attorney for Defendant, Edna Dumas

Capell, Howard, P.C.
P.O. Box 2069
Montgomery, AL 36102-2069
(334) 241-8000
(334) 241-8262 – facsimile

/s/ Winston Sheehan, Jr., Esq.
C. Winston Sheehan, Jr. Esq.
Attorney for Defendant, Armstrong Relocation

Ball, Ball, Matthews, & Novak, P.A.
P.O. Box 2148
Montgomery, AL 36102-2148
(334) 387-7680
334-387-3222

/s/ Jeffrey Wilson Smith
Jeffrey Wilson Smith, Esq. (SMI088)
Attorney for Defendant, Edna Dumas

Slaten & O'Connor, PC
P.O. Box 1110
Montgomery, AL 36101-1110
334-396-8882
334-396-8880

/s/ Judy B. Van Heest
Judy B. Van Heest, Esq. (LAN062)
Attorney for State Farm

**Beers, Anderson, Jackson, Patty
& Van Heest, P.C.**
P.O. Box 1988
Montgomery, AL 36102-1988
334-834-5311
334-834-5362